

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

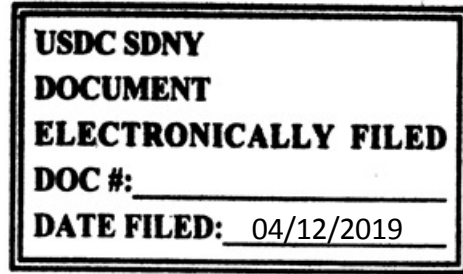
Republic of Turkey,

Plaintiff,

-against-

Christie's Inc. et al,

Defendants.



1:17-cv-3086 (AJN) (SDA)

ORDER

STEWART D. AARON, United States Magistrate Judge:

On April 4, 2019, Defendants filed a letter-motion, requesting, *inter alia*, that the Court compel Plaintiff to incur the cost of translating into English certain documents which were produced by Plaintiff on March 4, 2019, or in the alternative, that Plaintiff be precluded from relying on the documents at trial. (ECF No. 258 at 3.) Plaintiff filed a letter in opposition, in which it stated, *inter alia*, that it would agree to “not use the documents at issue at trial, if Defendants also agree not to use any of the documents at trial.” (ECF No. 260 at 3.) Defendants submitted a reply letter on April 10, 2019. (ECF No. 261.) The parties appeared for a telephone conference before me on April 12, 2019.

Having considered the parties’ submissions and the arguments of counsel, Defendants’ letter-motion is GRANTED IN PART.¹ IT IS HEREBY ORDERED, that, within 30 days, for those documents which Plaintiff intends to use affirmatively at trial, Plaintiff shall produce translated versions of those documents to Defendants, and shall bear the full costs of translation. If Plaintiff

¹ There is authority in this district for shifting to the producing party the cost of translating documents produced in a foreign language after the close of discovery. See *Ametex Fabrics, Inc. v. Tongkook Spinning Co., Ltd.*, No. 93-CV-4336 (KMW) (MHD), 1994 WL 132402 (S.D.N.Y. Apr. 8, 1994).

does not pay the full cost of translation of any documents, it shall be precluded from using such documents affirmatively at trial. For the remaining documents, Plaintiff shall produce translated versions of those documents to Defendants, within 30 days, and each of Plaintiff and Defendants shall bear one-half of the reasonable costs of translation.

SO ORDERED.

DATED: New York, New York
April 12, 2019

A handwritten signature in black ink, reading "Stewart D. Aaron", is positioned above a horizontal line.

STEWART D. AARON
United States Magistrate Judge